

Senate File 399 - Introduced

SENATE FILE 399
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO SSB 1134)

A BILL FOR

1 An Act relating to swimming pool inspections and housing
2 cooperatives.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 135I.2, Code 2023, is amended to read as
2 follows:

3 **135I.2 Applicability.**

4 This chapter applies to all swimming pools and spas owned or
5 operated by local or state government, or commercial interests
6 or private entities including but not limited to facilities
7 operated by cities, counties, public or private school
8 corporations, hotels, motels, camps, apartments, condominiums,
9 and health or country clubs. **This chapter** does not apply to
10 facilities intended for single family use or to a swimming
11 pool or spa operated by a homeowners' association or housing
12 cooperative representing seventy-two or fewer dwelling units
13 if the ~~association's~~ bylaws of the association or cooperative,
14 which also apply to a rental agreement relative to any of the
15 dwelling units, include an exemption from the requirements of
16 this chapter, provide for inspection of the swimming pool or
17 spa by an entity other than the department or local board of
18 health, and assume any liability associated with operation of
19 the swimming pool or spa. **This chapter** does not apply to a
20 swimming pool or spa used exclusively for therapy under the
21 direct supervision of qualified medical personnel. To avoid
22 duplication and promote coordination of inspection activities,
23 the department may enter into written agreements with a local
24 board of health to provide for inspection and enforcement in
25 accordance with **this chapter**.

26 EXPLANATION

27 The inclusion of this explanation does not constitute agreement with
28 the explanation's substance by the members of the general assembly.

29 This bill exempts a housing cooperative from the
30 requirements of Code chapter 135I (swimming pools and spas)
31 if the housing cooperative represents 72 or fewer dwelling
32 units; the cooperative's bylaws apply to a rental agreement
33 relative to any of the dwelling units; the cooperative's bylaws
34 include an exemption from Code chapter 135I requirements;
35 the cooperative's bylaws provide for inspection of the

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1 swimming pool or spa by an entity other than the department
2 of health and human services or local board of health; and
3 the cooperative's bylaws assume any liability associated with
4 operation of the swimming pool or spa.